

a. The numerator is the sum of the deposits in this state directly or indirectly owned or controlled by the depository institutions involved in the acquisition and the deposits in this state directly or indirectly owned or controlled by all other depository institutions directly or indirectly owned or controlled by a holding company involved in the acquisition, as stated in subsection 4, paragraph "e".

b. The denominator is the deposits in this state of all depository institutions as stated in the most recent available deposit reports.

6. The superintendent may conduct such review as the superintendent considers necessary to verify the statements submitted under subsection 4, paragraphs "f", "g", "h", and "i". The superintendent shall calculate the following fraction:

a. The numerator is the average of the sum of the deposits in this state directly or indirectly owned or controlled by the depository institutions involved in the acquisition and the deposits in this state directly or indirectly owned or controlled by all other depository institutions directly or indirectly owned or controlled by a holding company involved in the acquisition, as stated in subsection 4, paragraphs "e" and "j".

b. The denominator is the average of the deposits in this state of all depository institutions as stated in the two most recent available deposit reports.

7. If the quotient determined by the calculation in either subsection 5 or 6 exceeds fifteen percent, the proposed acquisition does not comply with the limitation of subsection 2.

Sec. 2. **EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.** This Act, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to January 1, 2000.

Approved April 14, 2000

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## CHAPTER 1095

### COLLEGE STUDENT AID — COMMISSION — PROGRAMS

S.F. 2248

**AN ACT** relating to the college student aid commission's membership, duties, and authority, and related federal employment reports.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 19B.3, subsection 2, paragraph h, Code 1999, is amended to read as follows:

h. Require development of equal employment opportunity reports, including the initiation of the processes necessary for the completion of ~~the annual EEO-6~~ reports required by the federal equal employment opportunity commission.

Sec. 2. Section 261.1, subsection 2, Code 1999, is amended to read as follows:

2. The director of the department of education or the director's designee.

Sec. 3. Section 261.2, subsections 1, 2, 3, 5, and 7 through 10, Code 1999, are amended by striking the subsections.

Sec. 4. Section 261.9, subsection 1, unnumbered paragraph 1, Code 1999, is amended to read as follows:

“Accredited private institution” means an institution of higher learning located in Iowa which is operated privately and not controlled or administered by any state agency or any subdivision of the state, except for county hospitals as provided in paragraph “c” of this subsection, and which meets at least one of the following criteria in paragraphs “a” through “c” and all of the criteria in paragraphs “e” through “h”:

Sec. 5. Section 261.9, subsection 1, paragraphs a, b, and c, Code 1999, are amended to read as follows:

a. ~~Which is~~ Is accredited by the north central association of colleges and secondary schools accrediting agency based on their requirements, ~~or,~~

b. ~~Which has been~~ Is certified by the north central association of colleges and secondary schools accrediting agency as a candidate for accreditation by that agency, ~~or,~~

c. ~~Which is~~ Is a school of nursing accredited by the national league for nursing and approved by the board of nurse examiners, including such a school operated, controlled, and administered by a county public hospital.

Sec. 6. Section 261.9, subsection 1, paragraph d, Code 1999, is amended by striking the paragraph.

Sec. 7. Section 261.9, subsection 1, paragraph e, unnumbered paragraph 1, Code 1999, is amended to read as follows:

~~Which promotes~~ Promotes equal opportunity and affirmative action efforts in the recruitment, appointment, assignment, and advancement of personnel at the institution. In carrying out this responsibility the institution shall do all of the following:

Sec. 8. Section 261.9, subsection 1, paragraph e, subparagraph (8), Code 1999, is amended to read as follows:

(8) Require development of equal employment opportunity reports, including the initiation of the processes necessary for the completion of ~~the annual EEO-6~~ reports required by the federal equal employment opportunity commission.

Sec. 9. Section 261.9, subsection 1, paragraph f, Code 1999, is amended to read as follows:

f. ~~Which adopts~~ Adopts a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by the institution or in conjunction with activities sponsored by the institution. Each institution shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, an institution shall provide substance abuse prevention programs for students and employees.

Sec. 10. Section 261.9, subsection 1, paragraph g, unnumbered paragraph 1, Code 1999, is amended to read as follows:

~~Which develops~~ Develops and implements a written policy, which is disseminated during student registration or orientation, addressing the following four areas relating to sexual abuse:

Sec. 11. Section 261.9, subsection 1, paragraph h, Code 1999, is amended to read as follows:

h. ~~Which files~~ Files a copy of the annual report required by the federal Student Right-To-Know and Campus Security Act, Pub. L. No. 101-542, with the division of criminal and juvenile justice planning of the department of human rights, along with a copy of the written policy developed pursuant to paragraph “g”.

Sec. 12. Section 261.19, subsection 2, Code 1999, is amended to read as follows:

2. A forgivable loan may be awarded to a resident of Iowa who is enrolled at the university of osteopathic medicine and health sciences if the student agrees to practice in this state for a period of time to be determined by the commission at the time the loan is awarded. Forgivable loans to eligible students shall not become due ~~and interest on the loan shall not accrue~~ until after the student completes a residency program. Interest on the loans shall begin to accrue the day following the student's graduation date. If the student completes the period of practice established by the commission and agreed to by the student, the loan amount shall be forgiven. The loan amount shall not be forgiven if the osteopathic physician fails to complete the required time period of practice in this state or fails to satisfactorily continue in the university's program of medical education.

Sec. 13. Section 261.19B, Code 1999, is amended to read as follows:

261.19B OSTEOPATHIC LOAN PHYSICIAN RECRUITMENT REVOLVING FUND.

An osteopathic ~~loan~~ physician recruitment revolving fund is created in the state treasury as a separate fund under the control of the commission. The commission shall deposit payments made by osteopathic ~~loan~~ physician recruitment recipients and the proceeds from the sale of osteopathic loans into the osteopathic loan<sup>1</sup> revolving fund. Moneys credited to the fund shall be used to supplement moneys appropriated for the osteopathic ~~forgivable loan~~ physician recruitment program, for loan forgiveness to eligible physicians and to pay for loan or interest repayment defaults by eligible physicians. Notwithstanding section 8.33, any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state.

Sec. 14. Section 261.25, subsection 5, Code Supplement 1999, is amended to read as follows:

5. For ~~the each~~ fiscal year ~~beginning July 1, 1989, and in succeeding years,~~ the institutions of higher education that enroll recipients of Iowa tuition grants shall transmit to the Iowa college student aid commission information about the numbers of minority students enrolled and minority faculty members employed at the institution, and existing or proposed plans for the recruitment and retention of minority students and faculty as well as existing or proposed plans to serve nontraditional students. The Iowa college student aid commission shall compile and report the first fall academic semester or quarter enrollment and employment information and plans for the next fiscal year to the chairpersons and ranking members of the house and senate education committees, members of the joint education appropriations subcommittee, the governor, and the legislative fiscal bureau by ~~December 15~~ March 1 of each year.

Sec. 15. Section 261.86, subsection 2, Code Supplement 1999, is amended to read as follows:

2. ~~The amount of educational~~ Educational assistance ~~received by a national guard member~~ paid pursuant to this section shall ~~be determined by the adjutant general and shall not exceed the resident tuition rate established for institutions of higher learning under the control of the state board of regents. If the amount appropriated in a fiscal year for purposes of this section is insufficient to provide educational assistance to all national guard members who apply for the program and who are determined by the adjutant general to be eligible for the program, the adjutant general shall, in coordination with the commission, determine the amount distribution of educational assistance each eligible guard member shall receive. However, educational assistance paid to an eligible national guard member pursuant to this section shall not be less than an amount equal to fifty percent of the resident tuition rate established for institutions of higher learning under the control of the state board of regents or fifty percent of the tuition rate at the institution attended by the national guard member, whichever is lower. The adjutant general shall not determine~~ Neither eligibility nor educational assistance amounts determinations shall be based upon a national guard member's unit, the location at which drills are attended, or whether the eligible individual is a member of the Iowa army or air national guard.

<sup>1</sup> See chapter 1232, §63 herein

Sec. 16. Section 261.92, subsection 1, paragraph b, subparagraph (8), Code 1999, is amended to read as follows:

(8) Require development of equal employment opportunity reports, including the initiation of the processes necessary for the completion of the annual EEO-6 reports required by the federal equal employment opportunity commission.

Sec. 17. Section 261B.3A, Code 1999, is amended to read as follows:

**261B.3A REQUIREMENT.**

~~A In order to register, a school offering courses or programs of study leading to a degree in the state of Iowa shall be accredited by an agency or organization approved or recognized by the United States department of education or a successor agency and be approved for operation by the appropriate state agencies in all other states in which it operates or maintains a presence college student aid commission.~~

Sec. 18. Section 261B.4, subsection 9, Code 1999, is amended to read as follows:

9. ~~Whether The name of the school is accredited by any accrediting agency recognized by the United States department of education or a successor agency and, if so, the name of the accreditation body which has accredited the school and the status under which accreditation is held.~~

Sec. 19. Section 261B.9, subsection 6, Code 1999, is amended to read as follows:

6. ~~Whether The name of the school is accredited by an accrediting agency recognized by the United States department of education or its successor agency which has accredited the school.~~

Sec. 20. TRANSFER OF OSTEOPATHIC FORGIVABLE LOAN REVOLVING FUND MONEYS BY TREASURER. On the effective date of this Act, the treasurer of state shall transfer any balance in the osteopathic forgivable loan program<sup>2</sup> to the osteopathic physician recruitment revolving fund established pursuant to section 13 of this Act.

Sec. 21. DIRECTION TO CODE EDITOR. The Code editor is directed to correct internal references in section 261.9 of the Code as necessary in conjunction with the enactment of this Act.

Approved April 14, 2000

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## CHAPTER 1096

### CHILD SUPPORT — MEDICAL SUPPORT — DATA MATCHING

S.F. 2254

**AN ACT** relating to child support, immunity from liability for financial institutions relating to data matching and levies against accounts, including medical support and payment of costs to financial institutions for data matching and automation program development and providing for retroactive applicability.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 252E.1, subsection 10, Code 1999, is amended to read as follows:

10. "Order" means a support order entered pursuant to chapter 234, 252A, 252C, 252F, 252H, 252K, 598, 600B, or any other support chapter, or pursuant to a comparable statute of a foreign jurisdiction, or an ex parte order entered pursuant to section 252E.4. "Order" also includes a notice of such an order issued by the child support recovery unit to an employer.

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<sup>2</sup> See chapter 1232, §89 herein